



**SESSIONS  
ISRAEL &  
SHARTLE**

**KIRSTEN H. SMITH**  
**Direct: (504) 846-7943**  
**ksmith@sessions.legal**

July 20, 2022

Via ECF

The Honorable Paul S. Gardephe  
United States District Judge  
United States District Court  
Southern District of New York

**Re: *Delia M. Torres-Ramos v. Transworld Systems, Inc.* - 21-cv-5494**  
**Defendant's Response to Plaintiff's Feb. 28, 2022 Letter**

Dear Judge Gardephe:

Pursuant to Your Honor's July 15, 2022 Order, defendant Transworld Systems Inc. (TSI) states as follows:

1. On or about November 30, 2021, counsel for plaintiff purported to send undersigned counsel discovery requests via email. Undersigned counsel's firm uses a firewall called Mimecast to scan email attachments and flag certain emails from entering the firm's system for security purposes; it appear that the email was flagged and segregated.
2. Plaintiff's counsel did not send the discovery requests via mail. Undersigned counsel did not receive the discovery requests in November 2021.
3. On December 3, 2021, undersigned counsel's assistant sent counsel for plaintiff defendant's discovery requests via U.S. mail. Pursuant to this Court's scheduling order, the requests were sent several days after the deadline for issuing initial discovery requests.
4. On January 31, 2022, counsel for plaintiff notified counsel undersigned counsel that he did not received responses to plaintiff's discovery requests. Undersigned counsel explained that she did not receive any discovery requests, and plaintiff's counsel

Lakeway Two Suite 200 3850 North Causeway Boulevard Metairie, Louisiana 70002-7227

(504) 828-3700 (504) 828-3737 [www.sessions.legal](http://www.sessions.legal)

CALIFORNIA • COLORADO • FLORIDA • GEORGIA • ILLINOIS • LOUISIANA • NEW JERSEY • NEW YORK • PENNSYLVANIA • TEXAS

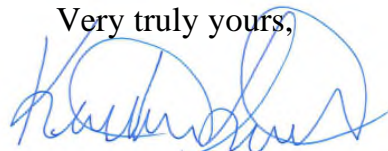
**SESSIONS, ISRAEL & SHARTLE**  
ATTORNEYS AT LAW

July 20, 2022 – Page 2

sent a second email with the discovery requests, which was received. Undersigned counsel committed to responding to the discovery requests in a timely fashion.

5. On February 21, 2022, undersigned counsel served, via email and U.S. Mail, responses to plaintiff's counsel's discovery requests.
6. To date, undersigned counsel has not received any responses to defendant's discovery requests, nor a request from plaintiff's counsel for any additional copy of said discovery requests.
7. Undersigned counsel for defendant has not brought plaintiff's failure to respond to defendant's discovery requests to the Court's attention because, as stated, the requests were admittedly served several days late pursuant to the Court's entered Scheduling Order, and moreover, such discovery disputes are generally resolved between counsel without the need for judicial intervention.

Very truly yours,



Kirsten H. Smith

\\sfni-fs01\prolawdocs\9266\9266-50798\torres-ramos, delia m\4497427.docx

**Memo Endorsed:** A conference in this matter will take place **July 25, 2022 at 2:00 p.m.** in Courtroom 705 of the Thurgood Marshall U.S. Courthouse, 40 Foley Square, New York, New York.

The Clerk of Court is directed to terminate the pending letter motion at Dkt. No. 17.

SO ORDERED.



Paul G. Gardephe  
United States District Judge  
Dated: July 21, 2022